

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEVON EVANS,  
Petitioner,  
v.  
J. UTTRECHT,  
Respondent.

NO. CV-09-5045-JPH

## **ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is Magistrate Hutton's Report and Recommendation to Deny Writ of Habeas Corpus (Ct. Rec. 11). The Report allowed the parties 10 days (until September 14, 2009) to file any objections to Magistrate Hutton's recommendation that the Court deny Petitioner's petition for writ of habeas corpus. Neither party has filed objections.

**Accordingly, IT IS HEREBY ORDERED:**

1. The Court adopts Magistrate Hutton's Report and Recommendation to Deny Writ of Habeas Corpus (Ct. Rec. 11).

2. Petitioner's Petition for Writ of Habeas Corpus (Ct. Rec. 1) is **DENIED**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, forward copies to Petitioner and counsel for Respondent, and **close the file**.

**DATED** this 28<sup>th</sup> day of September, 2009.

*s/Robert H. Whaley*  
ROBERT H. WHALEY  
United States District Judge

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